



485 MADISON AVENUE 10TH FLOOR
NEW YORK, NY 10022
212.704.9600 212.704.4256 fax www.zuckerman.com

SHAWN NAUNTON
Partner
646.746.8655
snaunton@zuckerman.com

November 27, 2017

VIA ECF

Honorable Robert M. Levy
United States Magistrate Judge
United States District Court,
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Weiss, et al. v. National Westminster Bank Plc*, 05-cv-4622
Applebaum, et al. v. National Westminster Bank Plc, 07-cv-916
Strauss, et al. v. Credit Lyonnais, S.A., 06-cv-702
Wolf, et al. v. Credit Lyonnais, S.A., 07-cv-914

Dear Judge Levy:

We write on behalf of all Plaintiffs' counsel in the above-referenced actions in response to the letter filed on November 21, 2017 by Robert G. Houck of Clifford Chance US LLP on behalf of National Westminster Bank Plc ("NatWest").

Mr. Houck's letter opposes on behalf of NatWest plaintiffs' request that the deadline for submission of the Joint Pre-Trial Order ("JPTO") in the Credit Lyonnais ("CL") actions be extended from December 15, 2017 to February 15, 2018 – which is the current deadline for submission of the JPTO in the NatWest cases.

Suffice it to say, plaintiffs were surprised to receive Mr. Houck's letter. Before filing the letter requesting extension of the deadline for the CL JPTO (*see* Dkt. Nos. 452, 381), plaintiffs sent a draft of the letter to the Cleary Gottlieb firm – counsel of record for both CL and NatWest. Plaintiffs filed our letter only after incorporating comments received from Cleary Gottlieb and obtaining the firm's approval to file. Based on these discussions, plaintiffs' letter states that CL does not object to plaintiffs' request for the adjournment. At no time during these discussions did Cleary Gottlieb advise plaintiffs that it could no longer speak for NatWest.

The day after plaintiffs filed our letter, Mr. Houck entered an appearance on behalf of NatWest, and approximately twenty minutes after entering his appearance, he filed his letter opposing plaintiffs' request for the adjournment. (*See* Dkt. Nos. 382-83.) Mr. Houck did not



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United States Magistrate Judge
November 27, 2017

contact plaintiffs' counsel prior to filing his letter to advise us that he would be taking over the representation of NatWest.

Adjourning the deadline for submission of the CL JPTO does not prejudice NatWest in any way. If the Court ultimately determines that the NatWest actions should be tried first, the current deadline for submission of the NatWest JPTO will remain unchanged. If, on the other hand, the Court determines that the CL actions should be tried first, plaintiffs do not object to extending for 60 days the current deadline for submission of the NatWest JPTO, from February 15, 2018 to April 15, 2018. Plaintiffs would have so advised Mr. Houck if he had contacted us prior to filing his letter.

In light of the appearance of new counsel in these actions on behalf of NatWest, Plaintiffs respectfully request that the Court schedule a short teleconference with all parties this week to discuss the deadlines for submission of the JPTOs in the CL and NatWest actions.

Respectfully submitted,

/s/ Shawn P. Naunton

Shawn P. Naunton

cc: All counsel of record